

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ **AUG 22 2016** ★

LONG ISLAND OFFICE

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GERALD WELLS,

Case No. 2:16-cv-00092

Plaintiff,

STIPULATION OF DISMISSAL

MERCANTILE ADJUSTMENT BUREAU, LLC,

WITH PREJUDICE

Defendant.
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Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff GERALD WELLS ("Plaintiff ") and Defendant MERCANTILE ADJUSTMENT BUREAU, LLC, ("Defendant") file this Stipulation of Dismissal with Prejudice on Account of Settlement (the "Stipulation") and would respectfully show the Court as follows:

1. Because of disputes over liability and damages and because of the uncertainties of litigation, Plaintiff and Defendant have compromised and settled all claims and causes of action that were or could have been asserted by Plaintiff against Defendant arising out of or in any way related to the matters raised in the action captioned *GERALD WELLS v. MERCANTILE ADJUSTMENT BUREAU, LLC*, case no. 2:16-cv-00092 (the "Suit") and Plaintiff no longer wishes to pursue this action.

2. Each party entered into the Settlement Agreement voluntarily and

knowingly, and understands fully the meaning and effect of its executing said Agreement. The parties agree that the terms of the Settlement Agreement are just and fair.

3. Defendant has asserted no counterclaims against Plaintiff.

4. The parties agree that this action should be dismissed with prejudice and respectfully request the Court to enter an Order of Dismissal with Prejudice.

Respectfully submitted,

Edward B. Geller, Esq., P.C.

By /s/Edward B. Geller(EG9763)

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Attorney for Defendant

SO ORDERED. This case is closed, subject to the terms of the parties' settlement agreement.

s/ Arthur D. Spatt

Arthur D. Spatt, U.S.D.J.

Aug. 22, 2016